

REMARKS

I. Status of the Application

Claims 1-8 and 10-21 are pending in this application. In the April 4, 2005 office action, the Examiner:

A. Rejected claims 1, 3-6, 8, 14, 16-18 and 21 under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent Publication No. US 2003/0216839 A1 to Dudley (hereinafter "Dudley") in view of "Chapter 4 Field Equipment Panel Hardware", August 18, 1998, CEMP-E, TI811-12 (hereinafter "FEPH");

B. Allowed claims 10-13, 19 and 20; and

C. Deemed claims 2, 7 and 15 to have allowable subject matter if rewritten in independent format.

In this response, applicants respectfully traverse the rejection of claims and request reconsideration in view of the foregoing amendments and the following remarks.

II. The Rejection of Claim 1 is in Error

In the April 4, 2005 office action, the Examiner rejected claim 1 as being allegedly obvious over Dudley in view of FEPH. As will be discussed below, there is no legally sufficient motivation or suggestion to combine Dudley and FEPH in the manner

proposed by the Examiner. It is therefore respectfully submitted that claim 1 is allowable over the prior art.

A. The Present Invention

Claim 1 is directed to a method of operating a building control system that includes a step of receiving a user generated event at a field panel of the building control system. The method also includes storing data regarding the received user generated event at the field panel and transmitting the stored data regarding the received user event at the field panel to a workstation.

B. Dudley

Dudley is directed to a computer that is operable to analyze comfort level information from one or more locations to be provided with conditioned air. The comfort information may be entered into computer workstations at various locations in a building and then forwarded to the computer that analyzes the information.

C. No Motivation or Suggestion to Make the Proposed Combination

Dudley does not disclose a step of "receiving a user generated event at a field panel of the building control system" as called for in claim 1. In particular, Dudley does not discuss the use of field panels at all, much less receiving user generated events at field panels. The Examiner has admitted that Dudley fails to teach this step, as well as others. (April 4, 2005 Office Action at p.3).

To overcome this deficiency of Dudley, the Examiner proposed a modification of Dudley that involves replacing the "data entry devices" of Dudley with field panels as taught by FEPH. While the FEPH clearly teaches field panel devices within the ordinary meaning of the phrase, there is no motivation or suggestion to use field panel devices to obtain user input in the Dudley system, as will be discussed below in detail. More specifically, the Examiner provided the following reasoning for combining FEPH with Dudley:

It would have been obvious to one of ordinary skill in the art at the time the invention was made or used to modify the teachings of Dudley with the teachings of FEPH because the smart field device can replace the data entry device because the field device has more I/O capabilities. The smart field device is an advanced type of data entry device for the building systems and it controls various actuators of an HVAC (April 4, 2005 office action at p.3)

The "data entry devices" of Dudley are ordinary office computer workstations. (Dudley at paragraph [0016]). Thus, the Examiner appears to allege that one would replace the office computers of Dudley with the smart field devices of FEPH. Applicants respectfully disagree. In particular, Dudley employs office computers because one of the goals of Dudley is to gather the opinions of the comfort level from each office of a building or area. (See *id.* at paragraphs [0005] and [0015]-[0017]). The use of office computers to gather such information is convenient in part because offices today often already include networked office computers. Moreover, the office occupants are accustomed to working with office computer systems.

If one were to replace the office computers with field panel devices as proposed, the cost and complexity of the Dudley system would increase dramatically, and the resulting combination may actually decrease the amount of data that is available for the Dudley system. In particular, the additional cost of the modification would be significant as each office would now require a field panel, whereas most offices already include a computer workstation for other purposes. The complexity of use of the system would increase because the occupants of each office would have to be trained as to how to input information to the field panel. Moreover, because of the complexity of use, less office occupants would likely take the time to provide the input required by the system of Dudley. As a consequence, the purpose of Dudley to gather comfort information from each office may be defeated by the use of field panels instead of office computers. By way of a summary, Dudley is intended to be an extension of an HVAC system that includes a means of gathering user data regarding relative levels of comfort in each of office of an office building or location. It is far more convenient to acquire this information from networked office computers because the computer network infrastructure is already present, and the office occupants are typically comfortable working with the office computers. The Examiner's proposal of replacing the office computers of Dudley (or at least their data entry function) with field panels would require additional field panel devices and would require extensive training to train the office workers in performing data entry on the field panels. For the foregoing reasons, it is respectfully submitted that one of ordinary skill in the art would not replace individual office computers with individual office field panels to obtain occupant comfort data in the system of Dudley as proposed by the Examiner. As a consequence, there is no

motivation or suggestion to make the proposed combination of Dudley and FEPH.

Accordingly, it is respectfully submitted that the obviousness rejection of claim 1 is in error and should be withdrawn.

III. Claims 3-6, 8 and 21

Claims 3-6, 8 and 21 also stand rejected as allegedly being obvious over Dudley in view of FEPH. Claims 3-6, 8 and 21 depend from and incorporate all of the limitations of claim 1. As discussed above in connection with claim 1, there is no motivation or suggestion to combine Dudley and FEPH as proposed by the Examiner. Accordingly, for at least the same reasons as those set forth above in connection with claim 1, it is respectfully submitted that the rejection of claims 3-6, 8 and 21 over Dudley and FEPH should be withdrawn.

IV. Claims 14 and 16-18

Claim 14 is directed to a building control system that includes a field panel in communication with a workstation. The field panel includes an I/O device connected to communicate with at least one actuator and/or sensor of a building control system. The field panel is operative to, among other things, receive a user generated field panel event. The Examiner applies the same reasoning for combining Dudley and FEPH as that used in the rejection of claim 1. As discussed above, there is no legally sufficient motivation or suggestion to combine Dudley and FEPH as proposed. For at least this reason, it is respectfully submitted that claim 14 is allowable over the prior art. Claims 16-18 all depend from claim 14, and are therefore allowable for at least the same reasons.

V. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicants have made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russ Fowler", with a long horizontal flourish extending to the right.

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